

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the

Michael Wayne Parsons, a live man
TSILHAT'IN TRIBAL MEMBER
ASSOCIATE JUSTICE, UNIVERSAL SUPREME COURT TSILHAT'IN
UNDER DURESS, WITHOUT PREJUDICE
BY NECESSITY Petitioner

v.

Chief Deputy Billy Daughtery
Tipton County TN Sheriff J.T. "Pancho" Chumley
Judges Joseph H. Walker + William A. Peeler
 Respondent
 (name of warden or authorized person having custody of petitioner)

Case No. _____

(Supplied by Clerk of Court)

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 2016 JUN 10 AM 11:20
 THOMAS H. GOLD
 CLERK U.S. DISTRICT COURT
 W.D. OF TN MEMPHIS

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Michael Wayne Parsons
 (b) Other names you have used: Mike Parsons
2. Place of confinement:
 (a) Name of institution: TIPTON COUNTY CORRECTIONAL FACILITY
 (b) Address: 1801 SOUTH COLLEGE STREET, SUITE 106
COVINGTON TN 38019
 (c) Your identification number: N/A
3. Are you currently being held on orders by:
☐ Federal authorities ☒ State authorities ☐ Other - explain: _____
4. Are you currently:
☒ A pretrial detainee (waiting for trial on criminal charges) I HAVE BEEN DETAINED WITHOUT CAUSE, STARVED
☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime AND TORTURED.
 If you are currently serving a sentence, provide:
 (a) Name and location of court that sentenced you: _____
 (b) Docket number of criminal case: _____
 (c) Date of sentencing: _____
☐ Being held on an immigration charge
☒ Other (explain): I HAVE BEEN EXONERATED OF ALL 2009 CONVICTIONS ON JANUARY 18,
2016, THEREFORE, NO LEGAL INDICTMENTS AND CHARGES EXIST AGAINST ME, NOR
CAN I BE PROSECUTED AS A "T.C.A. CONVICTED FELON IN POSSESSION OF FIREARM
39-17-1307(c)(f); FOR WHICH I AM STILL BEING FALSELY PROSECUTED; NOW
UNDER CHARGE 39-17-1307(b)(1)(A).

Decision or Action You Are Challenging

5. What are you challenging in this petition:

- ☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)
- ☒ Pretrial detention DETAINED AND PROSECUTED WITHOUT CAUSE; STARVED AND TORTURED
- ☐ Immigration detention
- ☐ Detainer
- ☒ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines) EXONERATED OF UNDERLYING WRONGFUL CONVICTION
- ☐ Disciplinary proceedings
- ☒ Other (explain): CHALLENGING RECENT CONTINUATION OF CHARGE AND RECENT INVALID SUM OF MONEY SET FOR BOND AT \$85,000⁰⁰ ALONG WITH ANKLE BRACELET, TRACKING DEVICE.

6. Provide more information about the decision or action you are challenging: RECENT DECISION:

- (a) Name and location of the agency or court: TIPTON COUNTY GENERAL SESSIONS COURT
- (b) Docket number case number, or opinion number: 8296 (MARCH 2, 2015)
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
MY ILLEGAL INCARCERATION DATED JANUARY 12, 2016 WHEREAT I DID NOTHING WRONG WHILE SPEAKING IN THE GENERAL SESSIONS COURT.
- (d) Date of the decision or action: JANUARY 12, 2016

Your Earlier Challenges of the Decision or Action7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☒ Yes ☐ No

(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: TENNESSEE COURT OF CRIMINAL APPEALS
- (2) Date of filing: SEPTEMBER 7, 2011
- (3) Docket number, case number, or opinion number: W2010-02073-CCA-R3-CD
- (4) Result: DISMISSED
- (5) Date of result: DECEMBER 15, 2011
- (6) Issues raised: 1) THE TRIAL COURT WRONGFULLY DEPRIVED ME TO THE RIGHT OF COUNSEL
2) THE TRIAL COURT ERRED IN SUSTAINING THE STATE'S OBJECTIONS TO DEFENDANT'S CASE
3) THE TRIAL COURT ERRED IN ITS HANDLING OF ONE OF THE JURORS
4) THE JURY FAILED TO FOLLOW ITS INSTRUCTIONS
5) THE TRIAL COURT ERRED IN DENYING JUDICIAL DIVERSION AND IN FAILING TO APPLY MITIGATING FACTORS WHEN IMPOSING SENTENCE
6) THE JUDGE, DA, AND COUNTY ATTORNEY, WHO PICKS THE JURY POOL HAD A FEDERAL LAWSUIT AGAINST THEM.

(b) If you answered "No," explain why you did not appeal:

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☒ Yes

☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: TENNESSEE SUPREME COURT

(2) Date of filing: FEBRUARY 23, 2012

(3) Docket number, case number, or opinion number: W2010-02073 - SCR -11- CD

(4) Result: DENIED - REFUSED TO HEAR

(5) Date of result: MAY 23, 2012

(6) Issues raised: SAME AS 7(a)(6)

(b) If you answered "No," explain why you did not file a second appeal:

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☒ Yes

☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: U.S.C.T. - UNIVERSAL SUPREME COURT OF THE TSILHQOT'IN - INTERNATIONAL ABORIGINAL COURT

(2) Date of filing: DECEMBER 2, 2015

(3) Docket number, case number, or opinion number: U-15-6030

(4) Result: EXONERATED OF ALL UNDERLYING CHARGES

(5) Date of result: JANUARY 18, 2016

(6) Issues raised: TRAVESTIES OF JUSTICE, ATTEMPTED MURDER OF ME AND MY WIFE RESULTING IN MY ACTIONS OF SEPTEMBER 2006 AS BEING THAT OF SELF-DEFENSE ONLY.

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(b) If you answered "No," explain why you did not file a third appeal:

10. Motion under 28 U.S.C. § 2255

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☒ Yes☐ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes☒ No

If "Yes," provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes☒ No

If "Yes," provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: I HAVE NOT BEEN CONVICTED BY NOR SERVING A SENTENCE UNDER A JUDGEMENT AGAINST ME IN FEDERAL COURT.

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☐ Yes

☐ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: _____
- (b) Date of the removal or reinstatement order: _____
- (c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes

☐ No

If "Yes," provide:

- (1) Date of filing: _____
- (2) Case number: _____
- (3) Result: N/A
- (4) Date of result: _____
- (5) Issues raised: _____

- (d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes

☐ No

If "Yes," provide:

- (1) Name of court: _____
- (2) Date of filing: _____
- (3) Case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

NA

12. Other appeals

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☒ Yes☐ No

If "Yes," provide:

(a) Kind of petition, motion, or application: _____

(b) Name of the authority, agency, or court: _____

U.S.C.T. - UNIVERSAL ~~FOR~~ SUPREME COURT
OF THE TSILHQOT'IN

(c) Date of filing: DECEMBER 2, 2016

(d) Docket number, case number, or opinion number: _____

U-16-8296(e) Result: ACQUITTAL OF CHARGE 39-17-1307 E/F(f) Date of result: FEBRUARY 20, 2016

(g) Issues raised: 1) TENNESSEE COURTS IN TIPTON COUNTY HAVE NO JURISDICTION TO PROCEED ON CHARGES AND INDICTMENTS AS NO VALID INDICTMENTS OR CHARGES EXIST POST EXONERATION DETERMINATION OF JANUARY 18, 2016.
2) TIPTON COUNTY GENERAL SESSIONS COURT JUDGE PEELER AND TIPTON COUNTY CIRCUIT COURT JUDGE WALKER ARE IN CONTEMPT OF U.S.C.T. ORDERS TO RELEASE ME, Michael Wayne Parsons

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

GROUND ONE: VIOLATION OF 6TH AMMENDMENT RIGHT TO A TRIAL AND ASSISTANCE OF A LAWYER AND/OR EFFECTIVE LEGAL COUNSEL WITHOUT WHICH I SHOULD NOT HAVE BEEN JAILED IN 2010, NEVERTHELESS, I WAS IMPRISONED FOR 45 MONTHS AND AM BACK IN JAIL AGAIN WITHOUT CAUSE.

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(a) Supporting facts (Be brief. Do not cite cases or law.):

AS PER U.S.C.T. REASONS FOR JUDGEMENT DATED JANUARY 18, 2016 AT PARAGRAPH 14, p.6
 "MR PARSONS AS A MATTER OF FEDERAL AND INTERNATIONAL LAW HAD AN UNDEQUIABLE
 RIGHT TO COUNSEL... I OBJECT TO THIS COURT TAKING ME TO TRIAL TODAY WITHOUT
 COUNSEL. LET THE RECORD REFLECT THAT I DO NOT WAIVE MY RIGHT TO COUNSEL
 ...g.) IT WAS UNCONSCIONABLE FOR THE TENNESSEE COURT OF APPEAL TO NOT
 REVERSE PARSONS BASED ON THE DENIAL OF DUE PROCESS RIGHTS TO COUNSEL IN A
 (b) Did you present Ground One in all appeals that were available to you? MATTER WHERE INCARCERATION
 IS AT ISSUE..."

☒ Yes☐ No

GROUND TWO: VIOLATION OF 14TH AMMENDMENT; BIASED JUDGES AT ARREST,
 TRIAL AND SENTENCING; REFUSING TO RECUSE THEMSELVES.

(a) Supporting facts (Be brief. Do not cite cases or law.):

U.S.C.T. REASONS FOR JUDGEMENT DATED JANUARY 18, 2016 AT PARAGRAPH 15, p.7
 "... BOTH JUDGE WALKER AND PEELER WERE NAMED IN A CIVIL SUIT REGARDING
 ELECTION FRAUD BY MR. PARSONS. THEY DID NOT RECUSE THEMSELVES... THESE
 JUDICIAL INDISCRETIONS AND IMPROPRIETIES ARE SUSPECT... JUDGES PEELER
 AND WALKER ENGAGED IN JUDICIAL MISCONDUCT BY NOT RECUSING
 THEMSELVES DUE TO A CONFLICT OF INTEREST." JUDGE PEELER MADE
 STATEMENTS THAT WERE NOT PART OF THE RECORD BY STATING "MR PARSONS" "STRUCK A

(b) Did you present Ground Two in all appeals that were available to you? NEIGHBOR IN THE FACE AND HAD
 ACTUALLY BROKEN HIS NOSE."
 SEE TRANSCRIPT p 28

☒ Yes☐ No

GROUND THREE: VIOLATION OF 5TH AMMENDMENT RIGHT TO DUE PROCESS BASED ON
 U.S.C.T. EXONERATION AND AQUITTAL, I SHOULD HAVE BEEN RELEASED FROM
 CUSTODY, BUT AM CURRENTLY BEING ILLEGALLY HELD HOSTAGE IN VIOLATION
 OF MY CONSTITUTIONAL RIGHTS 4TH AMMENDMENT

(a) Supporting facts (Be brief. Do not cite cases or law.):

JUDGE PEELER ACKNOWLEDGED RECEIPT OF U.S.C.T. REASONS FOR JUDGEMENTS,
 ORDERS AND CORRESPONDENCE WITH RESPECT TO MY EXONERATION, AQUITTAL AND
 RELEASE FROM CUSTODY ON FEBRUARY 11, 2016 AND AT PRIOR HEARING, AT WHICH TIME
 THE COURT COULD NOT PROCEED AGAINST ME BECAUSE THE CHARGES DO NOT LEGALLY
 EXIST AND BECOMES MOOT WHEN I AM EXONERATED, WHICH MEANS THE COURT DID
 NOT HAVE JURISDICTION OVER ME. JUDGES PEELER AND WALKER REFUSE TO OBEY
 U.S.C.T. ORDERS, NAMELY A HIGHER COURTS ORDEARS. SEE TRANSCRIPT p 8, LINES 13-24 AND

(b) Did you present Ground Three in all appeals that were available to you?

p 9, LINES 1-4.

☒ Yes☐ No

(GROUND 3 CONTINUED ON NEXT
 PAGE)

GROUND THREE (CONTINUED): Supporting facts:

THE CONSTITUTION OF THE UNITED STATES DECLARES THAT JURISDICTION OF ANY ISSUE INVOLVING A STATE AND A FOREIGN NATIONAL AS BEING IN A FEDERAL COURT NOT A STATE COURT, THIS IS A FEDERAL ISSUE BECAUSE I AM A Tsilhqot'in TRIBAL MEMBER AND AN ASSOCIATE JUSTICE OF THE UNIVERSAL SUPREME COURT OF THE Tsilhqot'in

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GROUND FOUR: VIOLATION OF 8TH AMMENDMENT ON MARCH 14, 2016 BY CIRCUIT COURT JUDGE JOSEPH WALKER III OF TIPTON COUNTY TENNESSEE, SETTING BOND FROM PREVIOUS \$5000⁰⁰ TO \$85,000⁰⁰, WHICH IS EXCESSIVE AND WITHOUT MERIT, ALSO VIOLATION OF 8TH AMMENDMENT BY THE CRUEL AND UNUSUAL PUNISHMENT I HAVE RECEIVED AT THE

(a) Supporting facts (Be brief. Do not cite cases or law.): TIPTON COUNTY CORRECTIONAL FACILITY (TCF).

ON MARCH 14, 2016 JUDGE WALKER NOT ONLY ORDERED AN EXCESSIVE BOND FOR ME TO PAY, BUT ALSO ORDERED I WEAR A MONITORING DEVICE UPON PAYMENT OF BOND. I AM UNABLE TO PAY BOND AS I AM INDIGENT, NOR CAN ANYONE ELSE I KNOW PAY SUCH AN EXCESSIVE AND UNCONSTITUTIONAL BOND. I HAVE BEEN STARVED, MALNURISHED, DENIED NATIVE MEDICINES AND SUPPLEMENTS, DENIED OUTDOORS, DENIED MAIL, LEGAL BOOKS, BLACKMAILED, INTERROGATED AND HAD MY LIFE THREATENED (GROUNDS CONTINUED BELOW)

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did

not: U.S.C.T. EXONERATION AND AQUITTALE WERE NOT AVAILABLE UNTIL JANUARY 18, 2016 AND FEBRUARY 28, 2016 RESPECTIVELY.

Request for Relief

15. State exactly what you want the court to do: IMMEDIATE RELEASE FROM CUSTODY ON MY OWN RECOGNIZANCE

GROUND FIVE: VIOLATION OF 14TH AMMENDMENT DUE PROCESS RIGHT NOT TO BE CHARGED WITH CHARGES THAT DO NOT EXIST, NAMELY T.C.A. 39-17-1307 E/F DOES NOT EXIST.

(a) Supporting facts: I AM NOT A FELON. I WAS NOT IN POSSESSION OF FIREARMS 2-11-2014 AND T.C.A. 39-17-1307 E/F DOES NOT EXIST. HOLDING ME HOSTAGE AND/OR POLITICAL PRISONER AT THE TIPTON COUNTY CORRECTIONAL FACILITY IS AGAINST THE LAW AS I HAVE NEVER COMMITTED A CRIME. I AM A TRIBAL MEMBER AND ASSOCIATE JUSTICE OF THE SOVEREIGN Tsiilhqotin NATION AND RETAIN JUDICIAL AND DIPLOMATIC IMMUNITY FROM FALSE ARREST, FALSE PROSECUTION, STARVATION, OPPRESSION, TORTURE AND CRUEL AND UNUSUAL PUNISHMENT.

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~~Declaration Under Penalty Of Perjury~~ 4/21/2016

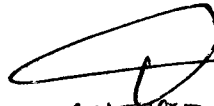
If you are incarcerated, on what date did you place this petition in the prison mail system:

APRIL 21, 2016

I DECLARE THAT I AM THE ~~PERSON~~ PETITIONER, I HAVE HAD THIS PETITION READ TO ME AND THE INFORMATION IN THIS PETITION IS TRUE AND CORRECT. I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

4/21/2016 IT IS NOT CLEAR WHO WILL DETERMINE WHAT IS FACTUAL 4/21/2016

Date: APRIL 21, 2016



~~WITHOUT PREJUDICE~~

ACJ (U.S.C.T.)

Signature of Petitioner

ARTICULARY

Signature of Attorney or other authorized person, if any

